

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION**

LANCE ADRIAN COLE,

Plaintiff,

v.

RICHARD GRIGGS, et al.,

Defendants,

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No. 2:16-CV-41 DDN

MEMORANDUM AND ORDER

Following review of the complaint pursuant to 28 U.S.C. § 1915(e), the Court entered an order dismissing this action against all defendants except Dan Wiley. Plaintiff now moves for reconsideration of the order.

Through oversight, the Court neglected to consider the plaintiff's allegations against defendant William Jones, the acting warden at the Northeast Correctional Center. According to the complaint, Jones ordered the destruction of his legal papers. This allegation is sufficient to allow the case to proceed against Jones. Therefore, the Court will order that process be issued as to him.

With respect to the dismissed defendants, the Court considered only the allegations set forth in the complaint. If there are different or additional allegations to be asserted against the defendants, they should be included in an amended complaint. The plaintiff has not shown that reconsideration of the dismissal is warranted.

Accordingly,

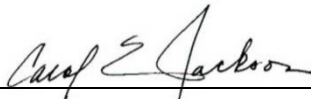
IT IS HEREBY ORDERED that plaintiff's motion for reconsideration [Doc. No. 8] is **granted** in part.

IT IS FURTHER ORDERED that the Clerk is directed to add William Jones, Acting Warden at the Northeast Correctional Center, as a defendant in this action.

IT IS FURTHER ORDERED that the Clerk is directed to issue process as to defendant William Jones.

IT IS FURTHER ORDERED that the motion for reconsideration is **denied in all other respects.**

Dated this 14th day of September, 2016.



CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE